



UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	NO. 3:21-cr-00189
)	
)	JUDGE TRAUGER
MARK HAYNES)	

MOTION TO DISMISS WITH PREJUDICE

COMES NOW the United States of America, by and through Henry C. Leventis, United States Attorney, and the undersigned Assistant United States Attorney, Robert E. McGuire and moves this court to dismiss the Indictment in this case with prejudice.

For cause, the United States submits that it is in receipt of a report from Dr. Marina Mukhin, Psy.D., who is a forensic psychologist with the Mental Health Department of the Federal Medical Center in Butner, North Carolina. Dr. Mukhin performed an evaluation of the Defendant based on this Court's previous order finding the Defendant incompetent to stand trial. (Doc. No. 37.) In her report, Dr. Mukhin opined that the Defendant is presently suffering from a mental disease or defect that renders him not competent to stand trial. Further, Dr. Mukhin opined that the Defendant's psychological deficits, as related to competency, are of sufficient severity that it is unlikely that he will be restored to competency in the foreseeable future even with extensive efforts. Finally, the United States is aware, as is the Court, that United States District Judge Terrance W. Boyle of the Eastern District of North Carolina has determined that the Defendant is suffering from a mental disease or defect, that his release would create a substantial risk of bodily injury to another person, and, therefore, ordered the Defendant to be civilly committed to the care and custody of the Attorney General under Title 18, United States Code § 4246.